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**DRAFT**

## **FINAL ACTION AGENDA/MINUTES**

**Village of Estero  
21500 Three Oaks Parkway  
Estero, FL 33928  
Village Council Zoning Hearing  
January 20, 2016 9:00 a.m.**

### **1. CALL TO ORDER:** 9:00 a.m.

### **2. PLEDGE OF ALLEGIANCE:** Led by Mayor Batos.

**3. ROLL CALL:** Present: Mayor Nick Batos - District 6, Vice Mayor Howard Levitan - District 2, Councilmember Bill Ribble, District 1, Councilmember Donald Brown - District 3, Councilmember Katy Errington - District 4, Councilmember Jim Boesch - District 5, and Councilmember Jim Wilson - District 7.

Also present: Village Manager Steve Sarkozy, Village Land Use Attorney Nancy Stroud, Village Community Development Director Mary Gibbs, and Village Clerk Kathy Hall.

### **4. CONTINUATION OF DELIBERATIONS:**

#### **(A) Case #DCI 2015-00013 Volunteers of America**

Mayor Batos provided a brief introduction.

Mary Gibbs, Community Development Director, provided a review of the January 13, 2016 meeting and revisions to Ordinance No. 2015-21.

**Questions or Comments by:** Councilmembers Ribble, Brown, Errington, Boesch, Ribble, Wilson, Vice Mayor Levitan, and Mayor Batos.

Discussion between Councilmembers and Charles Basinait, Land Use Attorney, included consistency with building styles; timing of the medical office building; sidewalks; landscape; Type D buffer; rebuilding the damaged wall; secured gate for pedestrian access in the emergency access easement; tax exempt status; commitment of the applicant to meet with residents of Estates of Estero River and notice via USPS; cross walk; dumpster location; removal of the covered parking; addition of the berm with enhanced planting.

Mr. Basinait provided the following regarding new Condition 16 (f): The Developer agrees to install an enhanced Type “D” buffer along Corkscrew Road within the two highlighted areas indicated on the Mixed Use Development Site Plan labeled as Exhibit 1. The enhancements to the buffer in these specific areas consist of increasing the size of the required shrubs to 36 inches tall with a 20 inch spread at the time of installation, to be maintained at a minimum of 48 inches tall. The required buffer in these areas will also be constructed on a berm of at least 2 feet in height.

Community Development Director Gibbs reviewed the further revisions to conditions in the ordinance, which included the wall in Condition 18, Deviation 1 would be approved (condition would be removed), and language would be inserted in Condition 16 (f) regarding the enhanced Type D buffer in the two areas along Corkscrew Road shown on the exhibit.

**Motion:** Move to approve the application going forward as meeting the criteria for an exception to the Zoning in Progress Resolution.

**Motion by:** Vice Mayor Levitan  
**Seconded by:** Councilmember Ribble

**Action:** Approved the application going forward as meeting the criteria for an exception to the Zoning in Progress Resolution.

**Vote:**  
Aye: Unanimous  
Nay:  
Abstentions:

**Motion:** Move to adopt Ordinance No. 2015-21 as revised and described by Community Development Director Gibbs.

**Motion by:** Vice Mayor Levitan  
**Seconded by:** Councilmember Boesch

**Action:** Adopted Ordinance No. 2015-21 as revised and described by Community Development Director Gibbs.

**Vote:**  
Aye: Unanimous  
Nay:  
Abstentions:

A motion to adjourn was made and duly passed.

**5. ADJOURN:** 9:40 a.m.

ATTEST:

VILLAGE OF ESTERO, FLORIDA

By: \_\_\_\_\_  
Kathy Hall, MMC  
Village Clerk

By: \_\_\_\_\_  
Nicholas Batos  
Mayor